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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,) Case No. 01:00CR5395 AWI
)
12 Plaintiff,) MOTION AND ORDER TO DISMISS
) INDICTMENT
13 v.)
)
14 DAVID FIGUEROA-HERNANDEZ,)
aka David Figueroa Hernandez,)
15)
Defendant.)
16

17 Pursuant to Federal Rule of Criminal Procedure 48(a),
18 Plaintiff United States of America, by and through its attorneys
19 of record, BENJAMIN B. WAGNER, United States Attorney, and
20 Kathleen Anne Servatius, Assistant United States Attorney, hereby
21 seek leave of court and move to dismiss the indictment in this
22 case without prejudice, as to the above-named defendant, in the
23 interest of justice.

24 DATED: April 6, 2012

Respectfully submitted,
BENJAMIN B. WAGNER
United States Attorney

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26 By: /s/ Kathleen Anne Servatius
KATHLEEN ANNE SERVATIUS
27 Assistant U.S. Attorney
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ORDER

IT IS HEREBY ORDERED that the indictment in this case be dismissed without prejudice in the interest of justice.

IT IS SO ORDERED.

Dated: April 6, 2012


CHIEF UNITED STATES DISTRICT JUDGE